


| | | |
|---|--|--------------------------------------|
|  | INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL | |
| | Chapter 8: Out-of-Home Services | Effective Date: April 1, 2014 |
| | Section 12: Developing the Visitation Plan | Version: 5 |

POLICY

The Indiana Department of Child Services (DCS) will develop a [Visitation Plan](#) for every child in out-of-home care within five (5) days of removal with input from the child and the child's parent, guardian, or custodian unless, no visitation has been ordered by the court and/or parental rights have been terminated. The [Visitation Plan](#) will be reviewed and adjusted at the initial Child and Family Team (CFT) Meeting or Case Plan Conference. See separate policy, [5.7 Child and Family Team Meetings](#).

DCS will determine if there is a preexisting visitation order for the noncustodial parent and obtain a copy if one exists for presentation to the court.

DCS will provide the court with a recommendation for visitation of the noncustodial parent if there is no preexisting order or if the preexisting order is not in the best interest of the child.

DCS will:

1. Ensure the initial face-to-face contact is made between the child and his or her parent, guardian, or custodian within 48 hours of removal; and

Exception: A Family Case Manager (FCM) Supervisor may approve phone contact with the parent, guardian, or custodian if extenuating circumstances exist.

2. Ensure face-to-face contact is made between the child and his or her siblings within five (5) days of removal.

Note: Sibling visitation should be promoted for every child who is placed foster care, including visitation when not all siblings are in foster care. The child, resource parent(s), Guardian ad Litem (GAL), Court Appointed Special Advocate (CASA), or agency responsible for care, treatment, or supervision of the child may request sibling visitation.

The [Visitation Plan](#) provides parameters for visitation between the child and his or her parent, guardian, or custodian; sibling(s); family members; and other individuals with whom the child has formed a significant relationship. All [Visitation Plans](#) will include:

1. A goal of reestablishing, maintaining, and/or strengthening the bond that exists between the child and his or her family;
2. Face-to-face contact with the parent, guardian, or custodian at least once per week and at least twice per week if the child is an infant (age 0-1) or toddler (age 1-2); unless the court has ordered otherwise;
3. Face-to-face contact with the child's siblings at least once per week; and
4. Face-to-face contact with other individuals with whom the child has a positive, significant relationship as long as deemed appropriate, and does not negatively affect the child. This should not interfere with or disrupt the regular visitation of the parent, guardian, or custodian.

Note: All [Visitation Plans](#) must include alternative forms of contact (e.g., phone calls, cards, letters, photographs, or recordings) if face-to-face visits are not possible. If the court has ordered no face-to-face contact between the child and his or her parent, guardian, or custodian, alternative forms of contact may be requested to maintain and develop the parent-child bond. See separate policies, [8.11 Parental Interaction and Involvement](#) and [8.13 Implementing the Visitation Plan](#).

Code References

N/A

PROCEDURE

[REVISED] The FCM will:

1. Document all requests for visitation in the Management Gateway for Indiana's Kids (MaGIK) contacts within three (3) business days;
2. Convene the CFT Meeting to assist in the development of the [Visitation Plan](#);
3. Ensure that the written [Visitation Plan](#) includes the following components:
 - a. A visitation goal,
 - b. Parameters of contact (i.e., who, what, and how often),
 - c. Supervision (i.e., the degree of supervision necessary for each person who will visit and who may provide supervision). See [Tool 8.C - Supervision of Visits](#) for additional information,
 - d. Visit logistics (e.g., location, time and length of visits, and transportation),
 - e. Appropriate activities during visitation, in particular, developmental activities, parenting activities, and any special considerations and/or accommodations regarding visitation,
 - f. Alternative forms of contact (e.g., phone calls, cards, letters, photographs, or recordings) to supplement face-to-face visits,
 - g. Provisions for contact with the noncustodial parent, if appropriate, and
 - h. Provisions for face-to-face contact and/or other forms of contact with persons whom the child has a positive, significant relationship, if appropriate and does not interfere or have a negative impact;
4. Engage the CFT in problem-solving regarding any barriers to visitation (e.g., transportation). See separate policy, [8.13 Implementing the Visitation Plan](#);
5. Utilize alternative forms of contact when circumstances prevent face-to-face visitation or make it an extreme hardship (e.g., phone contact, email exchanges, audio and video recordings, drawings, cards, and/or letters). Circumstances which may necessitate occasional or consistent use of alternative forms of contact include:
 - a. Parental incarceration,
 - b. Parents who reside in another state,
 - c. Parents who refuse face-to-face contact, and
 - d. Parents or siblings who are placed in residential treatment centers with restricted or no visitation;
6. Ensure all parties understand the [Visitation Plan](#) fully, and obtain signatures of all parties involved in implementing the [Visitation Plan](#);
7. Review with all parties how the [Visitation Plan](#) will be implemented, monitored, and adjusted throughout the life of the case. See separate policy, [8.13 Implementing the Visitation Plan](#);

8. Facilitate the convening of the CFT Meeting, within 30 calendar days of removal or decision to create a Concurrent Plan, to develop an alternative permanency plan in the event that reunification efforts are not successful. See separate policy, [5.15 Concurrent Planning](#);
9. Submit the completed [Visitation Plan](#) to the court for approval; if there is a preexisting order that conflicts with the [Visitation Plan](#); and
10. Ensure that the approved [Visitation Plan](#) is documented in the MaGIK Visitation Log.

Noncustodial Parent Visitation

The FCM will:

1. Determine whether visitation order for the noncustodial parent exists and obtain a copy for presentation to the court;
2. Provide the court with a recommendation for visitation of the noncustodial parent if there is not an existing order or if the order is not in the best interest of the child; and
3. Document the approved [Visitation Plan](#) in MaGIK.

Visitation For Families Where Domestic Violence Has Been Identified

The FCM will:

1. Work with the CFT to develop a [Visitation Plan](#) for the family;
2. Offer separate visitation time for the non-offending parent and the alleged domestic violence offender;
3. Consider recommending supervised visitation if the child is afraid of the alleged domestic violence offender or either parent has physically abused the child;
4. Not inform the alleged domestic violence offender of the non-offending parent's visitation time; and
5. Ensure there is no overlap of parental visitation time.

Note: Ample time should be included for the non-offending parent to pick up or drop off the child or to arrive or leave the premises without being forced to interact with the alleged domestic violence offender. The non-offending parent should not be expected to transport the child to or from visits with the alleged domestic violence offender.

PRACTICE GUIDANCE

[NEW] Visitation with Incarcerated Parent, Guardian, or Custodian

Children benefit from maintaining contact with their parent, guardian, or custodian, especially when reunification is the goal. The Indiana Department of Corrections (DOC) may permit children to visit with their incarcerated parent, unless the parent has a sex offense as a basis for the commitment. The FCM should contact DOC to determine whether the incarcerated parent may or may not have visitation with children.

FCMs should contact county jails and federal prison facilities to determine whether children may visit or contact their incarcerated parent, guardian, or custodian.

FORMS AND TOOLS

1. [Visitation Plan](#) - Available in MaGIK
2. [Tool 8.C – Supervision of Visits](#)
3. [Case Plan \(SF 2956\)](#) – Available in MaGIK

| |
|----------------------------|
| RELATED INFORMATION |
|----------------------------|

Importance of Maintaining Parent, Guardian, or Custodian Contact

A child has the fundamental right to visit with his or her parent, guardian, or custodian. Ideally, the relationship developed between a parent and child is one of bonding, healthy dependency, and nurturing. Each of these elements of the parent-child relationship is important for the emotional well-being of the child. Regular visits and contact will help the child not to feel abandoned by his or her parent, guardian, or custodian.

Importance of Maintaining Sibling Contact

The longest lasting relationship a child shares is often with his or her sibling. This bond helps a child develop his or her own unique identity. When siblings cannot be placed together, the ability to maintain contact with each other can help alleviate the emotional impact of removal for each child.

Visitation Goal

The visitation goal should be consistent with the permanency goal outlined in the child's Case Plan.

Visitation Rights

The child and his or her parent, guardian, or custodian retain the right of reasonable contact with each other unless a petition for termination of parental rights has been filed or the court has restricted contact.